



## WSDA ORGANIC PROGRAM GUIDE TO INTERNATIONAL ORGANIC MARKETS

The Washington State Dept. of Agriculture (WSDA) provides an evaluation of organic products for compliance with USDA (United States Department of Agriculture) trade partner arrangements. Operations that are certified by WSDA, and that comply with the following additional requirements, ensure access of their products to these important markets.

The National Organic Program International Trade Partner webpage should be referenced for full details on all arrangements. <http://www.ams.usda.gov/NOP>

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### EUROPEAN UNION ORGANIC EQUIVALENCY ARRANGEMENT

Under an equivalency arrangement signed by USDA and the European Union Commission raw agricultural products and processed products certified to the USDA National Organic Standards are not required to obtain additional certification to market the products as organic in the European Union<sup>1</sup>. Full implementation of the U.S. – European Union Equivalency Arrangement came into effect on June 1, 2012. Details of the USDA and European Union Equivalency Arrangement can be found on the National Organic Program website: <http://www.ams.usda.gov/NOP>

#### Requirements

As of June 1, 2012, in addition to certification to the USDA organic regulations, products must meet the following requirements in order to be sold as organic in the European Union:

1. Products must travel with an EU import certificate that has been completed by a USDA-accredited certifying agent.
2. Products must be either produced within the U.S. or have had final processing or packaging occur within the US.
3. Products must meet European labeling requirements.
4. Products must meet the following critical variances:
  - a) Apples and Pears – may not be produced using antibiotics.
  - b) Wine - may not contain any non-organic grapes and must be produced using only the winemaking practices and substances details in the EU Organic regulations EEC 203/2012, which are outlined in the table below.

Wine Production Material/ Practice	EU status	EU regulation reference
Enzymes (other than pectolytic enzymes)	Prohibited	EC 203/2012 Article 29c, Annex VIIIa
Partial dealcoholisation of wine	Prohibited	EC 606/2009, Annex I A, Point 40

<sup>1</sup> The following countries are in the EU: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom. Additional information: [http://europa.eu/about-eu/countries/index\\_en.htm](http://europa.eu/about-eu/countries/index_en.htm).



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Electrodialysis treatment to ensure the tartaric stabilisation of the wine	Prohibited	EC 606/2009, Annex I A, Point 36
Treatment with cation exchangers to ensure tartaric stabilization of the wine	Prohibited	EC 606/2009, Annex I A, Point 43
Partial concentration through cooling	Prohibited	EC 1234/2007 Annex XVa, Section B.1, Point (c)
Elimination of sulphur dioxide by physical processes	Prohibited	EC 606/2009, Annex I A, Point 8
Centrifuging and filtration with or without an inert filtering agent	Restricted: the size of the pores shall be not smaller than 0.2 micrometer	EC 606/2009, Annex I A, Point 3
Heat treatments	Restricted**: temperature shall not exceed 70 °C (158 °F)	EC 606/2009, Annex I A, Point 2
Use of ion exchange resins	Allowed**	EC 606/2009, Annex I A, Point 20
Reverse osmosis	Allowed**	EC 1234/2007, Annex XVa, Section B.1, Point (b)

\*\*to be re-examined by August 2015; may be further restricted or prohibited

### Scope

The use of antibiotics in organic production is limited to fire blight control in apples and pears<sup>2</sup>. To ensure the US-EU verification process is as simple and efficient as possible, WSDA limits the scope of EU equivalency evaluations to WSDA certified organic apple and pear producers and handlers.

All other WSDA certified organic crops and products are approved as compliant with the US-EU Equivalency Arrangement provided they are produced, processed, or packaged in the US.

### Evaluating Producer Compliance – Apple and Pear Producers Only

WSDA program staff will review the tree fruit producer's Organic System Plan Material Inventory as well as the most recent WSDA organic inspection report to determine compliance with the US-European Union Equivalency Arrangement. Use of antibiotics for tree fruit must be disclosed by the producer and reviewed by the organic inspector during an onsite visit.

Producer compliance is granted on a crop variety basis, not on a site by site basis<sup>3</sup>. Parallel organic production of the same crop variety is prohibited; in order for a variety to be approved for export, all organic production of that variety by the producer must be managed in accordance with the equivalency arrangement. *See Footnote Below.*

Use of a US/European Union prohibited material during crop production will result in the inability to export that variety of apple or pears to the European Union for 36 months<sup>4</sup>. *See Footnote Below.*

<sup>2</sup> The use of oxytetracycline for control of fireblight in apples and pears will be considered a prohibited material in US organic production after October 21, 2014.

<sup>3</sup> Producers may apply for a new organic producer certificate with WSDA for sites with parallel organic varieties. Operations with dual certifications must have a system in place to physically separate and distinguish EU compliant sites and crops from those that are certified for US markets only.



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Certified producers must keep records regarding compliance with these additional requirements as well as compliance with the USDA National Organic Standards.

### **Evaluating Handler and Processor Compliance –**

Organic handlers that wish to have products evaluated for export to the European Union regulations are not required to enter as an entire operation or product line. Individual varieties and suppliers may be approved under this program.

Certified handlers must keep records regarding compliance with these additional requirements as well as compliance with the USDA National Organic Standards.

#### *Apple and Pear Handlers Only*

WSDA program staff will review the operation's supplier list as well as the most recent WSDA organic inspection report to determine compliance with the US-European Union Equivalency Arrangement. Sources of organic products must be disclosed by the producer and reviewed by the organic inspector during an onsite visit.

#### *Wine Handlers Only*

An EU Wine Approval Application will be needed from each wine processor of products that you wish to export. Once WSDA program staff has verified compliance, a US-EU Organic Equivalency Affirmation for Export of Organic Wine to the EU may be issued verifying the processor meets the requirements. This information will be used to complete the Certificate of Import.

### **Labeling**

For retail products, labels or stickers must state the name of the U.S. or EU certifying agent and use the USDA organic seal or the EU organic logo.

The EU doesn't have a labeling category for 100% organic products. These products could be labeled "organic."

The EU does not have a labeling category for "made with" organic products. For products containing less than 95% organic ingredients, a percentage statement of organic content may be displayed on the label.

### **Compliance Certificates**

A notation will be made on the WSDA Organic Producer or Handler Certificate upon verification that the apple or pear producer or handler has products that comply with the additional requirements of the equivalency arrangement.

Note: Wine processor certificates do not receive the same notation; however, a US-EU Organic Equivalency Affirmation for Wine may be issued upon request.

### **Export Documents**

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<sup>4</sup> WSDA Organic Program has requested clarification from USDA National Organic Program regarding the transition period. The 36 month transition period *may* be reduced prior to June 1, 2012 implementation of the equivalency arrangement.



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A USDA-accredited certifying agent must complete an EU import certificate (Certificate of Inspection) for all USDA organic products traded under the arrangement. This requirement is in place regardless of organic crop or product being shipped.

Apples and pears produced with antibiotics, or products that have not been produced, processed, or packaged in the United States will not be issued a Certificate of Inspection.

If exporting wine to the EU one or more of the following compliance documents must be submitted for each product:

- EU Wine Approval Application completed by the processor of the wine.
- Organic Certificate that specifically lists the product as EU compliant
- US-EU Equivalency Affirmation for Wine.

WSDA Organic Program is authorized to issue these documents to WSDA certified operations for a fee of \$40 per request.

Contact the WSDA Organic Program Export Desk at [organicexport@agr.wa.gov](mailto:organicexport@agr.wa.gov) to request a Certificate of Inspection application and EU Wine Approval Application.



**European Organic Food Label (E.U.)**



**USDA Organic Seal**



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### CANADA ORGANIC EQUIVALENCY ARRANGEMENT

Under an equivalency arrangement signed by the USDA and Canadian Food Inspection Agency (CFIA), raw agricultural products and processed products that are certified to the USDA National Organic Standards, are not required to obtain additional Canadian certification. Full implementation of the U.S. - Canada arrangement came into effect on July 1, 2011. Details of the USDA and Canada Equivalency Arrangement can be found on the National Organic Program website: <http://www.ams.usda.gov/NOP>

#### Requirements

In addition to certification to the USDA organic regulations, products must meet the following requirements in order to be sold as organic in Canada:

1. Crops must be produced without sodium nitrate.
2. Crops must not be grown using hydroponic or aeroponic production methods.
3. Agricultural products derived from animals (with the exception of ruminants) must be produced according to livestock stocking rates as set out in CAN /CGSB32.310-2006.

#### Scope

Many crops have little risk of being prohibited for export due to use of sodium nitrate and hydroponic or aeroponic production. To ensure the U.S./Canada verification process is as simple and efficient as possible, WSDA has adopted a list of crops that are at risk of being grown using one of the prohibited production practices.

The following crops have been identified as at risk of being grown using sodium nitrate, and will require verification back to the production of the crop prior to granting equivalency with the US-Canada Equivalency requirements:

- Carrots
- Celery
- Cole crops: including kale, collards, etc.
- Corn
- Fresh tomatoes
- Greenhouse crops, including tomatoes
- Leafy greens
- Livestock feed crops
- Onions
- Potatoes
- Winter vegetables: including broccoli, cauliflower, etc.

The following crops have been identified as at risk for hydroponic or aeroponic production, and will require verification back to the production of the crop prior to granting equivalency with US-Canada Equivalency requirements:

- Greenhouse Crops: including herbs and tomatoes



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### **Evaluating Producer Compliance**

WSDA program staff will review non-ruminant producer Organic System Plans as well as the most recent WSDA organic inspection report to determine compliance with the stocking rate requirements of the US-Canada Equivalency Arrangement.

For at risk crops, WSDA program staff will review the producer's Organic System Plan Material Inventory as well as the most recent WSDA organic inspection report to determine compliance with the US-Canada Equivalency Arrangement. Use of sodium nitrate must be disclosed by the producer and reviewed by the organic inspector during an onsite visit.

WSDA evaluates compliance with the US-Canada Equivalency Arrangement on a production year basis. Producer compliance is granted on a crop variety basis, not on a site by site basis. Parallel organic production of the same crop variety is prohibited; in order for a variety to be approved for export, all organic production of that variety by the producer must be managed in accordance with the equivalency arrangement.

Use of a US-Canada prohibited material during crop production will result in the inability to export that year's harvest of the crop to Canada.

Certified producers must keep records regarding compliance with these additional requirements as well as compliance with the USDA National Organic Standards.

### **Evaluating Handler and Processor Compliance**

For at risk products, WSDA program staff will review the operation's supplier list as well as the most recent WSDA organic inspection report to determine compliance with the US-Canada Equivalency Arrangement. Sources of organic products must be disclosed by the handler and reviewed by the organic inspector during an onsite visit.

Organic handlers that wish to have products evaluated for export to Canada regulations are not required to enter as an entire operation or product line. Individual varieties and suppliers may be approved under this program.

Certified handlers must keep records regarding compliance with these additional requirements as well as compliance with the USDA National Organic Standards.

### **Labeling**

Products certified as "organic" (containing 95% or more organic ingredients) and meeting the US-Canada Equivalency requirements may use either the USDA or Canadian Organic Regime (COR) seal beginning July 1, 2009. Use of the COR, USDA, or WSDA seal is optional.

Products from the US or other countries using the COR seal must include a country of origin statement or the word "imported" in close proximity to the seal.

A certifier statement that identifies the name of the certifier must appear on the label. If using a USDA seal, then this certifier statement must be placed below the information identifying the distributor of the product. Otherwise, this statement can be placed anywhere on the label.



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Products that are certified as 100% Organic in the US cannot make this claim on the label if being distributed in Canada – Products containing 100% organic ingredients may only be labeled as “Organic.”

Labels for products exported to Canada must be bilingual to include both English and French.

Special requirements exist for products intended to be exported to Quebec:

- a. Organic fruit and vegetables must whenever possible be individually labeled.
- b. The name of certified operators (grower or handler) must be printed on a sticker affixed to each organic fruit or vegetable.
- c. The name of the certifying body that attested the product’s organic production must also to be printed on each sticker.

### Compliance Certificates

If requested, a compliance affirmation will be issued to the producer or handler that notes compliance of crops or products that meet the additional requirements of the US-Canada Equivalency Arrangement.

These affirmations will be issued by WSDA for a fee of \$40 per request.

Contact the WSDA Organic Program Export Desk at [organicexport@agr.wa.gov](mailto:organicexport@agr.wa.gov) to request a compliance affirmation.

### Attestation Statement and Export Document

A formal export document is not required to accompany each shipment from the US to Canada. However, written documentation with the below statement is required to verify that additional requirements have been met. These attestations can be made by either the operation or the certifying agent.

All products that are produced under the terms of the arrangement must be accompanied by documentation stating the following:

“Certified in compliance with the terms of the US-Canada Organic Equivalency Arrangement”.

The statement may be written directly by the certified operation on a bill of lading, purchase order, or any other affirmative attestation. Products that do not have accompanying documentation with this statement may be refused entry into Canada.







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### JAPAN EQUIVALENCY ARRANGEMENT

The USDA National Organic Program and the Japan Ministry of Agriculture, Food and Fisheries (MAFF) have signed a bilateral equivalency agreement which went into effect on January 1, 2014. Products produced and certified to USDA organic standards will be marketable in Japan as “organic.” In addition, Japanese products certified to the Japanese Agriculture Standard (JAS) may be marketed in the US as “organic” under this agreement.

This equivalency arrangement eliminates previous additional requirements for organic products exported to Japan, which prohibited the use of alkali extracted humic acids and lignin sulfonate as material inputs. This agreement also allows for new options in using the Japanese organic seal. Details of this agreement can be found on the National Organic Program website: <http://www.ams.usda.gov/NOP>.

### Requirements

In order to access the Japan market, organic products must be certified by a USDA-accredited certifying agent and must either be grown or produced in the US or have had their final processing or packing (including final labeling) in the US.

### Labeling

The following products covered under the JAS law must carry the JAS seal if they are to be sold as organic in Japan: plants, including fungi, and processed foods of plant origin.

The JAS seal may be applied by US exporters in one of two ways:

1. If a US based farm or business wishes to apply the JAS organic seal to their products in the US, they must contract with a JAS-certified importer.
2. If the US-based farm or business does not have a contract with a JAS-certified importer, a JAS-certified importer must apply the seal to the product once it arrives in Japan.

USDA certified products not regulated by the JAS law (e.g. meat, dairy, honey, alcoholic beverages, textiles) may not display a JAS seal.

The use of the USDA organic seal on an exported product is voluntary as long as the product label meets the requirements of the USDA organic regulations.

The certifier must be identified on any label being exported to Japan to state, “Certified Organic by (insert name of Japan-recognized or USDA-accredited body) below the information identifying the handler or distributor of the product.

### Export Document

A USDA-accredited certifying agent must complete a USDA export document (TM-11) verifying the conditions of the US-Japan Equivalency Arrangement. This document must accompany all shipments of bulk agricultural products intended to be sold in Japan as “organic.” USDA certified products not regulated by the JAS law (e.g. meat, dairy, honey, alcoholic beverages, textiles) do not require an export certificate.

WSDA Organic Program is authorized by USDA to issue this document to WSDA certified operations for a fee of \$40 per request.





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Contact the WSDA Organic Program Export Desk at [organicexport@agr.wa.gov](mailto:organicexport@agr.wa.gov) to request a TM-11 application.



**JAS Organic Seal (Japan)**



**USDA Organic Seal**



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### TAIWAN EXPORT ARRANGEMENT

On March 18, 2009, the Agriculture and Food Agency of the Council of Agriculture (COA) announced that the US Department of Agriculture's (USDA) National Organic Program (NOP) has officially been recognized by the COA as equivalent to Taiwan's new organic standards. This announcement allows U.S. organic food products to export organic products to Taiwan under an export arrangement. Details of the US and Taiwan Export Arrangement can be found on the National Organic Program website: <http://www.ams.usda.gov/NOP>

### Requirements

In addition to certification to the USDA organic regulations, products must meet the following requirements in order to be sold as organic in Taiwan:

1. Must be composed of 95% or more organic ingredients.
2. Livestock and meat products must not be from animals treated with the use of systemic pain killers or analgesics, including the use of Lidocaine or Procaine.

### Export Document

A USDA export document (TM-11) verifying the conditions of the US-Taiwan Export Arrangement must accompany all of products intended to be sold in Taiwan as "organic."

WSDA Organic Program is authorized by USDA to issue this document to WSDA certified operations for a fee of \$40 per request.

Contact the WSDA Organic Program Export Desk at [organicexport@agr.wa.gov](mailto:organicexport@agr.wa.gov) to request a TM-11 application.